

# 2014 Sports Officials Legislative Scorecard

Has your state passed laws pertaining to assaults on officials, officials' liability or independent contractor status? Those three issues impact sports officials tremendously. And many states have realized the importance of addressing those topics.

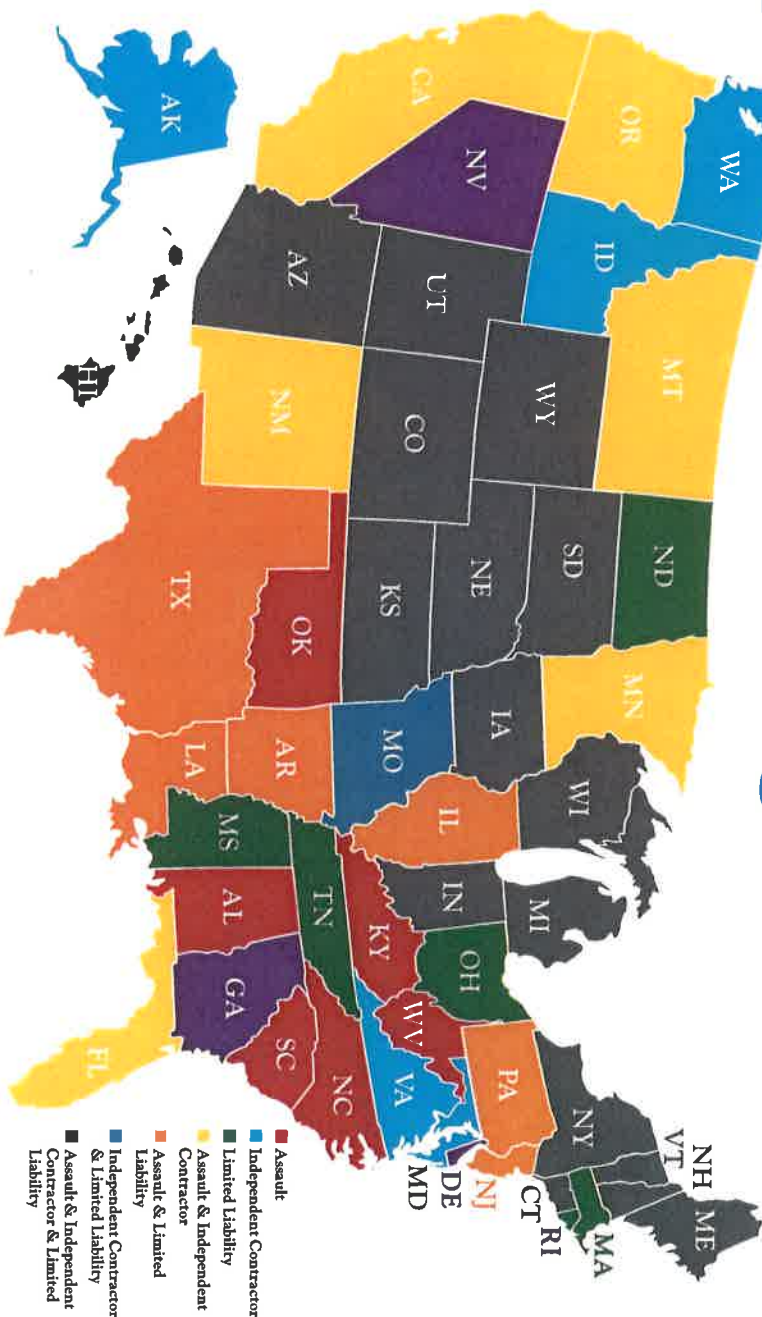
Sports officials should be able to perform their duties without threat of personal injury, administrative hearings or litigation because of their game calls. Being a referee or umpire is no easy task. State legislators can show support for the men and women who officiate on the courts and fields by passing laws to protect them.

NASO has been bringing attention to assault, liability and independent contractor issues for years. The map, updated for 2014, displays the states that have passed laws dealing with those issues. There are currently 21 states that have officiating assault laws—(including 19 with criminal laws and two with civil statutes), 16 with limited liability legislation and 14 states with independent contractor laws. How does your state score? If there is work to be done, you can get involved.

## Pass Legislation in Your State

Since 1984, when MASO first submitted model legislation regarding assaults against officials, members and legislators have used such models to construct their own legislative bills.

There is no fool-proof plan to get the job done. Each state handles legislation differently, and it is up to the local constituency to manage the process effectively. It is NASO's goal that individual members utilize the proposed legislative models and work with local legislators to construct viable laws. Before you do anything else, it's a good idea to do some research. Request an NASO Assault Legislation Packet and visit [nasoo.org](http://nasoo.org). Contact your state government to



find out what specific legislation is in place. And if your state does not have needed laws in place, you can get involved.

**1. Contact your local association.** Share with your association what other states have done. Move forward as a united group.

**2. Circulate a petition.** Ask members of your association and area officials association to sign a petition online or in person asking your lawmakers to take action.

**3. Gather information.** Gather and present information to legislators about incidents that have happened in your state that apply such as officiating assaults, etc.

#### 4. Get on the phone or Internet.

with them to present information that may help to pass a law.

**5. Follow up.** After talking and meeting with your legislators, follow up with a thank you letter and tell them that you will follow their progress. Keep the topic in the forefront.

## Assault Legislation Information

**Available Online**  
For the latest legislation information, visit [naso.org](http://naso.org). There you will find

legislation status in each state, information about model legislation and specific state assault legislation. You can also get more information about what you can do if you are interested in getting legislation passed in your state. Information about how

to access information about recent assaults is available as well.

## Kansas Proposes Officials Assault Legislation

Kansas lawmakers are working to protect officials through increasing the penalties for those who attack them. The proposed bill would elevate the crime for assault and battery against a sports official to a high level misdemeanor.

**As of presstime, the last reported action for Kansas House Bill 2532 was a House Hearing on Feb. 17.**

**John Dehan, of Call the Game, a Kansas City-area group that works with officials for youth to high school activities, said there had been reports of three assaults in the past**

official as a result of the performance of duty at a sports event, but the bill was deferred by the Judicial Committee on Feb. 25.

- In Massachusetts, HB 1605, which would establish a penalty for assault against sports officials, was first introduced in 2013 by Rep. Angelo Scaccia and referred to committee, but the bill's reporting date was extended this year by the House and Senate to June 30.

- New Hampshire legislators introduced SB 320, which establishes a specific penalty for simple assault of a sports official at a sports event, in December 2013. On March 13, the bill was referred to Interim Study by the Senate.

- Connecticut HB 5486, which would establish an enhanced penalty for the assault of an umpire, referee or other amateur sports official, was introduced in February. The House referred the bill to the Joint Committee on Judiciary on March 4.

## New Youth Referee Law in Kentucky

Kentucky Governor Steve Beshear signed a bill into law on April 14 making it legal for kids under 14 to referee youth sports and get paid for it. Teen referee Nathaniel Rase was the reason for the push for the new law.

Rase made headlines after Lexington police officer Keith Spears was cited for confronting the teen after a game.

Following the incident, someone anonymously let the Kentucky Labor Department know that Rase, 13, was working illegally. Representative Ryan Quarles proposed the bill to get the law changed.

## Concussion Legislation Passes in All States

According to USA Football, all states and the District Columbia have passed legislation related to concussions. Officials should be familiar with the legislation in their state related to concussions that occur in athletic events and understand if it impacts them.



## **ALABAMA**

Section 1. For purposes of this act, a "sports official", is a person at a sports event who enforces the rules of the event, such as an umpire or referee, or a person who supervises the participants, such as a coach. A "sports event" includes any interscholastic or intramural athletic activity in a primary, middle, junior high, or high school, college, or university, any organized athletic activity sponsored by a community, business, or nonprofit organization, any athletic activity that is a professional or semiprofessional event, and any other organized athletic activity in the state.

Section 2. (a) A person commits the crime of harassment of a sports official if he or she commits the crime of harassment as provided for by Section 13A-11-8, Code of Alabama 1975, and the victim is a sports official performing official duties and the harassment is a result of the official performing his or her official duties. Harassment of a sports official is a Class B misdemeanor. (b) A person commits the crime of menacing a sports official if he or she commits the crime of menacing as provided for by Section 13A-6-23, Code of Alabama 1975, and the victim is a sports official performing official duties and the menacing is a result of the official performing his or her official duties. Menacing a sports official is a Class A misdemeanor. (c) A person commits the crime of assault of a sports official in the third degree if he or she commits the crime of assault in the third degree as provided for by Section 13A-6-22, Code of Alabama 1975, and the victim is a sports official performing official duties and the assault is a result of the official performing his or her official duties. Assault of a sports official in the third degree is a Class C felony. (d) A person commits the crime of assault of a sports official in the second degree if he or she commits the crime of assault in the second degree as provided for by Section 13A-6-21, Code of Alabama 1975, and the victim is a sports official performing official duties and the assault is a result of the official performing his or her official duties. Assault of a sports official in the second degree is a Class B felony. (e) A person commits the crime of assault of a sports official in the first degree if he or she commits the crime of assault in the first degree as provided for by Section 13A-6-20, Code of Alabama 1975, and the victim is a sports official performing official duties and the assault is a result of the official performing his or her official duties. Assault of a sports official in the first degree is a Class A felony.

Section 3. Although this bill would have as its purpose or effect the requirement of a new or increased expenditure of local funds, the bill is excluded from further requirements and application under Amendment 621 because the bill defines a new crime or amends the definition of an existing crime.

Section 4. This act shall become effective on the first day of the third month following upon its passage and approval by the Governor, or upon its otherwise becoming a law.

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## **ARKANSAS**

Arkansas Cod. Ann. Section 5-13-209 provides: Any person, with the purpose of causing physical injury to another person, who shall strike or otherwise physically abuse an athletic contest official immediately prior to, during, or immediately following an interscholastic, intercollegiate, or any other organized amateur or professional athletic contest in which the athletic contest official is participating shall be guilty of a Class A misdemeanor.

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## **CALIFORNIA**

California Penal Code Section 243.8 provides: (a) When a battery is committed against a sports official immediately prior to, during, or immediately following an interscholastic, intercollegiate, or any other organized amateur or professional athletic contest in which the sports official is participating, and the person who commits the offense knows or reasonably should know that the victim is engaged in the performance of his or her duties, the offense shall be punishable by a fine not exceeding Two Thousand Dollars (\$2,000), or by imprisonment in the county jail not exceeding one year, or by both that fine and imprisonment. (b) For the purposes of this section, "sports official" means any individual who serves as a referee, umpire, linesman, or who serves in similar capacity but may be known by a different title or name and is duly registered by, or a member of a local, state, regional or national organization engaged in part in providing education and training to sports officials. (Adopted October 5, 1991)

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## DELAWARE

Section 1. Amend § 614, Title 11 of the Delaware Code, by striking the existing language and substituting in lieu thereof the following:

"§ 614. Abuse of a Sports Official; Class G Felony; Class A Misdemeanor.

(a) A person is guilty of Abuse of a Sports Official whenever the person intentionally or recklessly commits the following acts against a sports official who is acting in the lawful performance of duty:

Reckless Endangering in the Second Degree, as set forth in § 603 of this Chapter; or

Assault in the Third Degree, as set forth in § 611 of this Chapter; or

Terroristic Threatening, as set forth in § 621 of this Chapter; or

Criminal Mischief, as set forth in § 811 of this Chapter.

(b) For purposes of this Section, the words 'sports official' shall mean any person who serves as a registered, paid or volunteer referee, umpire, line judge or acts in any similar capacity during a sporting event. For purposes of this Section, the words, 'lawful performance of duty' means the time immediately prior to, during and/or immediately after the sporting event. (c) Whoever violates subsection (a) of this Section shall be guilty of a Class A misdemeanor. Upon conviction for a second or subsequent offense under this Section, such person shall be guilty of a Class G felony. Notwithstanding Chapter 42 of this Title, such person shall be fined not less than \$1,000 nor more than \$2,350. In addition to the fines imposed by this subsection, any person who is guilty of Abuse of a Sports Official shall be prohibited from participating in and/or attending any organized sporting event for a period of not less than three (3) months nor more than twelve (12) months. (d) Except as provided in § 922 of Title 10, and notwithstanding any other provision of law to the contrary, the Court of Common Pleas shall have original jurisdiction to hear, try and finally determine any violation of this Section, and any other misdemeanor violation of any offense set forth in this Title which was allegedly committed during the same incident. Prosecution under this Section shall not preclude a separate charge, conviction and sentence for any other crime set forth in the Code."

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## FLORIDA

Section 1. Section 784.081 Florida Statutes is amended to read: Assault or battery on specified officials or employees; reclassification of offenses.

(1) For purposes of this section, the term "sports official" means any person who serves as a referee, an umpire, or a linesman, and any person who serves in a similar capacity as a sports official who may be known by another title, which sports official is duly registered by or is a member of a local, state, regional, or national organization that is engaged in part in providing education and training to sports officials.

(2) Whenever a person is charged with committing an assault or aggravated assault or a battery or aggravated battery upon a sports official when the person committing the offense knows or has reason to know the identity or position or employment of the victim, the offense for which the person is charged shall be reclassified as follows:

a) In the case of aggravated battery, from a felony of the second degree to a felony of the first degree.

b) In the case of aggravated assault, from felony of the third degree to a felony of the second degree.

c) In the case of battery, from the misdemeanor of the first degree to a felony of the third degree.

d) In the case of assault, from a misdemeanor of the second degree to a misdemeanor of the first degree.

(3) An assault, aggravated assault, battery or aggravated battery upon a sports official shall be reclassified pursuant to subsection (2) only if such offense is committed upon the sports official when he or she is actively participating as a sports official in an athletic contest or immediately following such a contest. Section 2. This act shall take effect October 1, 2004.

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## GEORGIA

Statute 16-5-23 provides:

(a) A person commits the offense of simple battery when he or she either:

- (1) Intentionally makes physical contact of an insulting or provoking nature with the person of another; or
- (2) Intentionally causes physical harm to another.

(b) Except as otherwise provided in subsections (c) through (g) (h) of this Code section, a person convicted of the offense of simple battery shall be punished as for a misdemeanor. (h) Any person who commits the offense of simple battery against a sports official while such sports official is officiating an amateur contest or while such sports official is on or exiting the property where he or she will officiate or has completed officiating an amateur contest shall, upon conviction thereof, be punished for a misdemeanor of a high and aggravated nature. For the purposes of this Code section, the term 'sports official' means any person who officiates, umpires, or referees an amateur contest at the collegiate, elementary or secondary school, or recreational level.

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## IDAHO

The Idaho legislature adopted Concurrent Resolution No. 32 in March 2001. The resolution read: Be it resolved by the legislature of the state of Idaho:

WHEREAS, sports participation has become part of American life ingrained into the consciousness of society;

WHEREAS, sporting events have components essential to their survival including the players, coaches and fans. In addition, and in some sense most importantly, there must be officials to enforce the rules of the game and judge potential disputes between participants on the field;

WHEREAS, many officials volunteer their time or receive only minimal compensation. Many officials participate out of a sheer love of the game and to teach children who play the game the valuable lessons that can be learned through participating in sports. Those lessons include that of sportsmanship, working as a team and working within the rules of the game to achieve a common goal;

WHEREAS, sports officials act as on-field judges for their respective sports and as neutral participants who have no stake in the outcome of the game. Officials should be afforded protection from assaults and other negative reactions by participants, coaches and fans;

WHEREAS, increasingly, sports officials are subjected to verbal and even physical assault by disgruntled fans as well as certain coaches and players. That trend follows a growing trend in recent years that, at its foundation shows a lack of respect for authority figures.

WHEREAS, children are exposed to media displays of professional sports heroes and are compelled to emulate their heroes. Unfortunately, children may also try to emulate them when they act in a negative fashion. If professional athletes are not reprimanded for assaultive behavior against sports officials, that gives the impression that verbally and physically assaulting officials is socially acceptable;

WHEREAS, it is not enough that each state must wait for one of its sports officials to be seriously attacked or beaten before its government takes action to stop this practice. Players, coaches and fans should be deterred from assaulting officials by local authorities handing out more severe penalties. That would ensure that the fans, especially young children, realize that it is not acceptable to attack an official;

WHEREAS, the sports officials that give their time and energy to officiate games deserve our collective respect and must have complete confidence that they will be able to carry out their responsibilities in a safe environment. As a society, we must act on the belief that respect for authority, whether you agree with it or not, is critical to living, working and playing together. Sports needs to be a beacon, highlighting positive accomplishments and the need for sportsmanship and fair play. Although education continues to be important, recent trends point out the need for strong sanctions against those who engage in bad behavior at sporting events.



NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, calling on all school districts, little league programs, high school, college and recreational programs, along with law enforcement and prosecutors, to do all they can to put an end to the increased threats and batteries on sports officials and to prosecute to the full extent of the law. (Adopted March 2001)

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## ILLINOIS

HB4023 Section 5. The Criminal Code of 1961 is amended by changing Section 12-2 as follows: (720 ILCS 5/12-2) (from Ch. 38, par. 12-2) Sec. 12-2. Aggravated assault. (a) A person commits an aggravated assault, when, in committing an assault, he:

(17) Knows the individual assaulted to be a sports official or coach at any level of competition and the act causing the assault to the sports official or coach within an athletic facility or an indoor or outdoor playing field or within the immediate vicinity of the athletic facility or an indoor or outdoor playing field at which the sports official or coach was an active participant in the athletic contest held at the athletic facility. For the purposes of this paragraph (17), "sports official" means a person at an athletic contest who enforces the rules of the contest, such as an umpire or referee; and "coach" means a person recognized as a coach by the sanctioning authority that conducted the athletic contest. b) Sentence. Aggravated assault as defined in paragraph (17) of subsection (a) of this Section is a Class A misdemeanor.

HB4120 Section 5. The Unified Code of Corrections is amended by changing Section 5-5-3 as follows: (730 ILCS 5/5-5-3) (from Ch. 38, par. 1005-5-3) Sec. 5-5-3. Disposition. a) Every person convicted of an offense shall be sentenced as provided in this Section. (11) The court shall impose a minimum fine of \$1,000 for a first offense and \$2,000 for a second or subsequent upon a person convicted of or placed on supervision for battery when the individual harmed was a sports or coach at any level of competition and the act causing harm to the sports official or coach occurred within an athletic facility or within the immediate vicinity of the athletic facility at which the sports official or coach was an active participant of the athletic contest held at the athletic facility. For the purposes of this paragraph (11), "sports official" means a person at an athletic contest who enforces the rules of the contest, such as an umpire or referee; "athletic facility" means an indoor or outdoor playing field or recreational area where sports activities are conducted; and "coach" means a person recognized as a coach by the sanctioning authority that the sporting event.

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## KENTUCKY

Kentucky Section 1.KRS 508.025 reads: (c) intentionally causes or attempts to cause physical injury to a sports official: 1. Who was performing sports official duties at the time the physical injury or attempt to cause physical injury was perpetrated; or 2. After the sports official performs official duties at an athletic event, if the physical injury or attempt to cause physical injury occurs within the confines or the immediate vicinity of the athletic facility at which the athletic event occurred. Section 2. For the purposes of this section, "athletic contest official" means an independent contractor who serves as a referee, umpire, linesperson, timekeeper, coach, or any person who serves in a similar capacity but may be known by other titles and is duly registered as a member of a local, state, regional, or national organization which is engaged in part in providing education and training to "athletic contest officials." Note: Enactment of this bill provides and makes the assault of a sports official an offense in the third degree which is a Class D felony.

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## LOUISIANA

Louisiana Rev. Stat. Ann. Section 14-34-4 provides: (A)(1) Battery of a school athletic contest official is a battery committed without the consent of the victim when the offender has reasonable grounds to believe the victim is a school contest official. (2) For purposes of this section, "school athletic contest official" means any referee, umpire, coach, instructor, administrator, staff person, or school or school board employee of any public or private secondary school while actively engaged in conducting, supervising, refereeing, or officiating of a school sanctioned interscholastic athletic contest. (B)(1) Whoever commits the crime of battery of a school athletic contest official shall



be fined not more than Five Hundred Dollars (\$500) and imprisoned not less than fifteen days nor more than six months without benefit of suspension of sentence. (2) The court in its discretion may suspend the imposition of sentence and place the offender on probation with the condition that he shall serve two days in jail or perform five days of community service work. Failure to successfully complete the community service work, as determined by the supervisor or the program to which he is assigned, may result in revocation of probation.

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## MINNESOTA

Minnesota Chapter 128C.08 Subdivision 2 states: "Any person who assaults a sports official in connection with an interscholastic athletic activity may be excluded from attending an activity for up to 12 months."

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## MONTANA

Montana Code Ann. Section 45-5-211 provides: (1) A person commits the offense of assault upon a sports official if, while a sports official is acting as an official at an athletic contest in any sport at any level of amateur or professional competition, the person: (a) purposely or knowingly causes bodily injury to the sports official; (b) negligently causes bodily injury to the sports official with a weapon; (c) purposely or knowingly makes physical contact of an insulting or provoking nature with the sports official; (d) purposely or knowingly causes reasonable apprehension of bodily injury in the sports official. (2) A person convicted of assault upon a sports official shall be fined an amount not to exceed one thousand dollars (\$1,000) or be imprisoned in the county jail for any term not to exceed six months, or both.

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## NEVADA

Assembly Bill No. 474--Committee on Judiciary

2. A person convicted of an assault shall be punished:

(a) If paragraph (c) or (d) of this subsection does not apply to the circumstances of the crime and the assault is not made with the use of a deadly weapon, or the present ability to use a deadly weapon, for a misdemeanor.

(b) If the assault is made with the use of a deadly weapon, or the present ability to use a deadly weapon, for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, or by a fine of not more than \$5,000, or by both fine and imprisonment.

(c) If paragraph (d) of this subsection does not apply to the circumstances of the crime and if the assault is committed upon an officer, a provider of health care, a school employee, a taxicab driver or a transit operator who is performing his duty or upon a sports official based on the performance of his duties at a sporting event, and the person charged knew or should have known that the victim was an officer, a provider of health care, a school employee, a taxicab driver, [or] a transit operator [,] or a sports official, for a gross misdemeanor, unless the assault is made with the use of a deadly weapon, or the present ability to use a deadly weapon, then for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, or by a fine of not more than \$5,000, or by both fine and imprisonment.

(d) If the assault is committed upon an officer, a provider of health care, a school employee, a taxicab driver or a transit operator who is performing his duty [,] or upon a sports official based on the performance of his duties at a sporting event by a probationer, a prisoner who is in lawful custody or confinement or a parolee, and the probationer, prisoner or parolee charged knew or should have known that the victim was an officer, a provider of health care, a school employee, a taxicab driver, [or] a transit operator [,] or a sports official, for a category D felony as provided in NRS 193.130, unless the assault is made with the use of a deadly weapon, or the present ability to use a deadly weapon, then for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, or by a fine of not more than \$5,000, or by both fine and imprisonment.

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## NEW JERSEY

New Jersey Stat. Ann. Section 2C:44-1 (a) provides in part: In determining the appropriate sentence to be imposed on a person who has been convicted of an offense, the court shall consider the following aggravating circumstances: (B) The defendant committed offense against a police officer or other law enforcement officer, correctional employee or fireman, acting in the performance of his duties while in uniform or exhibiting evidence of his authority, the defendant committed the offense against a sports official, athletic coach or manager, acting in or immediately following the performance of his duties or because of the person's status as a sports official, coach or manager.

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## NEW MEXICO

New Mexico statutes provide: 1) "in the lawful discharge of his duties" means engaged in the performance of the duties of a sports official, beginning when the sports official arrives at a sports event and ending when a sports official returns to his residence or business following a sports event; and

(2) "sports official" means a person who:

(a) serves as a referee, umpire, linesman, timer or scorer, or who serves in a similar capacity while working, supervising or administering a sports event; and

(b) is registered as a member of a local, state, regional or national organization that is engaged in providing education and training to sports officials.

B. Assault upon a sports official consists of:

(1) an attempt to commit a battery upon the person of a sports official while he is in the lawful discharge of his duties; or

(2) any unlawful act, threat or menacing conduct that causes a sports official while he is in the lawful discharge of his duties to reasonably believe that he is in danger of receiving an immediate battery.

C. Whoever commits assault upon a sports official is guilty of a misdemeanor.

D. Aggravated assault upon a sports official consists of:

(1) unlawfully assaulting or striking at a sports official with a deadly weapon while he is in the lawful discharge of his duties;

(2) committing assault by threatening or menacing a sports official who is engaged in the lawful discharge of his duties by a person wearing a mask, hood, robe or other covering upon the face, head or body, or while disguised in any manner so as to conceal identity; or

(3) willfully and intentionally assaulting a sports official while he is in the lawful discharge of his duties with intent to commit any felony.

E. Whoever commits aggravated assault upon a sports official is guilty of a third degree felony.

F. Assault with intent to commit a violent felony upon a sports official consists of any person assaulting a sports official while he is in the lawful discharge of his duties with intent to kill the sports official.

G. Whoever commits assault with intent to commit a violent felony upon a sports official is guilty of a second degree felony.

H. Battery upon a sports official is the unlawful, intentional touching or application of force to the person of a sports official while he is in the lawful discharge of his duties, when done in a rude, insolent or angry manner.

I. Whoever commits battery upon a sports official is guilty of a fourth degree felony.

J. Aggravated battery upon a sports official consists of the unlawful touching or application of force to the person of a sports official with intent to injure that sports official while he is in the lawful discharge of his duties.



K. Whoever commits aggravated battery upon a sports official, inflicting an injury to the sports official that is not likely to cause death or great bodily harm, but does cause painful temporary disfigurement or temporary loss or impairment of the functions of any member or organ of the body, is guilty of a third degree felony.

L. Whoever commits aggravated battery upon a sports official, inflicting great bodily harm, or does so with a deadly weapon or in any manner whereby great bodily harm or death can be inflicted, is guilty of a second degree felony.

M. A person who assists or is assisted by one or more other persons to commit a battery upon any sports official while he is in the lawful discharge of his duties is guilty of a fourth degree felony."

Section 2. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2001.

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## **NORTH CAROLINA**

North Carolina General Stat. Section 14-33(b)(9) provides in part: (b) Unless his conduct is covered under some other provision of law providing greater punishment, any person who commits assault, assault and battery, or affray is guilty of a misdemeanor punishable by fine, imprisonment for not more than two years, or both such fine and imprisonment if, in the course of the assault, assault and battery, or affray he: (9) Commits an assault and battery against a sports official when the sports official is discharging or attempting to discharge official duties at a sports event, or immediately after the sports event at which the sports official discharged his duties. A "sports official" is a person at a sports event who enforces the rules of the event, such as an umpire or referee, or a person who supervises the participants, such as a coach. A "sports event" includes any interscholastic or intramural athletic activity in a primary, middle, junior high, or high school, college, or university, any organized athletic activity sponsored by a community, business, or nonprofit organization, any athletic activity that is a professional or semiprofessional event, and any other organized athletic activity in the State.

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## **OKLAHOMA**

Oklahoma Stat. Ann. Tit. 21, Section 650.1 provides: Every person who, without justifiable or excusable cause and with intent to do bodily harm, commits any assault, battery, assault and battery upon the person of a referee, umpire, timekeeper, coach, official, or any person having authority in connection with any amateur or professional athletic contest is guilty of a misdemeanor and is punishable by imprisonment in the county jail not exceeding one year or by a fine not exceeding One Thousand Dollars (\$1,000) or both such fine and imprisonment.

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## **OREGON**

Oregon Statutes provide: (1) In addition to, and not in lieu of any other damages that may be claimed, a plaintiff who is a sports official shall receive liquidated damages in an amount not less than \$500 but not more than \$1,000 in any action in which the plaintiff establishes that:

- (a) The defendant intentionally subjected the plaintiff to offensive physical contact;
  - (b) The defendant knew that the plaintiff was a sports official at the time the offensive physical contact was made;
  - (c) The offensive physical contact is made while the plaintiff is within, or in the immediate vicinity of, a facility at which the plaintiff serves as a sports official for a sports event; and
  - (d) The offensive physical contact is made while the plaintiff is serving as a sports official or within a brief period of time thereafter.
- (2) The court shall award reasonable attorney fees to a prevailing plaintiff in an action in which liquidated damages are awarded under this section.
- (3) An award of liquidated damages under this section is not subject to ORS 18.535, 18.537 or 18.540.



(4) As used in this section, 'sports official' means a person who:

(a) Serves as a referee, umpire, linesman or judge or performs similar functions under a different title; and

(b) Is a member of, or registered by, a local, state, regional or national organization that engages in providing education and training in sports officiating.

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## PENNSYLVANIA

Pennsylvania Cons. Stat. Ann. Section 2712 provides: (a) **Offense defined.** A person who violates section 2701 (relating to simple assault), where the victim is a sports official who was assaulted during a sports event or was assaulted as a result of his or her officials acts as a sports official, is guilty of assault on a sports official. (b) **Grading.** Assault on a sports official is a misdemeanor of the first degree. (c) **Definitions.** As used in this section, the following words and phrases shall have the meaning given to them in this subsection: "Sports Event"—Any interscholastic athletic activity in a junior high, high school or college or university in this Commonwealth or any other organized athletic activity in this Commonwealth including a professional or semiprofessional event. "Sports Official"—A person at a sports event who enforces the rules of the event, such as an umpire or referee, or a person who supervises the participants, such as a coach. The term includes a trainer, team attendant, game manager, athletic director, assistant athletic director, president, dean, headmaster, principal and assistant principal of a school, college or university.

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## SOUTH CAROLINA

SECTION 22-3-560, Code of Laws South Carolina, relating to jurisdiction and procedure in magistrates courts in assault and battery and other breach of the peace offenses, so as to increase the magistrates courts' jurisdiction for all assault and battery offenses against sports officials and coaches to provide for a fine not exceeding one thousand dollars or imprisonment for a term not exceeding sixty days, or both.

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## TEXAS

H.B. No. 716 AN ACT relating to the punishment for assaults committed against certain sports participants. Be it enacted by the legislature of the state of Texas section 1. Sections 22.01(c) and (e), Penal Code, are amended to read as follows: (c) An offense under Subsection (a)(2) or (3) is a Class C misdemeanor, except that the [an] offense [under Subsection (a)(3)] is: (1) a Class A misdemeanor if the offense is [was] committed under Subsection (a)(3) against an elderly individual or disabled individual, as those terms are defined by Section 22.04; or (2) a Class B misdemeanor if the offense is committed by a person who is not a sports participant against a person the actor knows is a sports participant either: (A) while the participant is performing duties or responsibilities in the participant's capacity as a sports participant; or (B) in retaliation for or on account of the participant's performance of a duty or responsibility within the participant's capacity as a sports participant. e) In this section: (1) "Family" has the meaning assigned by Section 71.003, Family Code. (2) "Household" has the meaning assigned by Section 71.005, Family Code. (3) "Sports participant" means a person who participates in any official capacity with respect to an interscholastic, intercollegiate, or other organized amateur or professional athletic competition and includes an athlete, referee, umpire, linesman, coach, instructor, administrator, or staff member.

SECTION 2. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is covered by the law in effect when the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

SECTION 3. This Act takes effect September 1, 2003.

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## State of Washington

### HOUSE RESOLUTION NO. 2003-4636

WHEREAS Sports participation has become an integral part of American life ingrained into the consciousness of society; and

WHEREAS Sporting events have components essential to their continued success, such as the players, coaches, and fans; and

WHEREAS Many sports officials volunteer their time or receive only minimal compensation and participate out of a sheer love of the game and to teach children who play the game the valuable lessons that are learned through participating in sports, including sportsmanship, teamwork, and complying with the rules of the game to achieve a common goal; and

WHEREAS It is critical that there are a sufficient number of qualified sports officials to enforce the rules of the game and judge potential disputes between participants on the field; and

WHEREAS Sports officials act as on-field judges for their respective sports and as neutral participants who have no stake in the outcome of the game; and

WHEREAS Sports officials who give their time and energy to officiate games deserve our collective respect and must have our collective assistance in creating a safe and secure environment for our children to play; and

WHEREAS Young people observe both the good and bad behavior of their sports heroes, other athletes, coaches, and fans and often emulate that behavior in either a positive or negative manner; and

WHEREAS As a society, we must act on the belief that respect for authority is critical to living, working, and playing together in a civil society governed by the rule of law;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the state of Washington express its appreciation to all those sports officials in recreational programs, who do all they can to promote sports as a beacon to highlight positive behavior and the need for good sportsmanship and fair play.

I hereby certify this to be a true and correct copy of Resolution 4636 adopted by the House of Representatives March 24, 2003.

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## WEST VIRGINIA

West Virginia Section 61-2-15a provides: (a) If any person commits an assault as defined in subsection (b), section nine sect. 61-2-9(b) of this article, to the person of an athletic official during the time the official is acting as an athletic official, the offender is guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than Fifty Dollars (\$50) nor more than One Hundred Dollars (\$100), and imprisoned in the county jail not less than twenty-four hours nor more than thirty days. (b) If any person commits a battery, as defined in subsection (c), section nine, sect. 61-2-9(c) of this article, against an athletic official during the time the official is acting as an athletic official, the offender is guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than One Hundred Dollars (\$100), and imprisoned in the county jail not less than twenty-four hours nor more than thirty days. (c) For the purpose of this section, "athletic official" means a person at a sports event who enforces the rules of that event, such as an umpire, referee, or a person who supervises the participants, such as a coach.

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